

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA,

v.

ABEL NNABUE,  
Defendant.

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Criminal No: 1:08CR385

The Honorable T.S. Ellis, III

**UNDER SEAL** (Local Rule 49)

**DEFENDANT'S RESPONSE TO GOVERNMENT'S SEALED  
MOTION TO REDUCE SENTENCE**

COMES NOW, the defendant, Abel Nnabue, by and through undersigned counsel, pursuant to Rule 35 of the Federal Rules of Criminal Procedure, and submits the following response to the Government's motion to reduce sentence based on Defendant's substantial assistance.

Mr. Nnabue adopts and incorporates the background and description of substantial assistance provided in the government's motion. Mr. Nnabue participated in a total of six debriefings during which he answered questions relating to this and other schemes. He spent a substantial portion of these debriefing sessions identifying the speaker in numerous recorded phone calls. Mr. Nnabue explained in great detail how and where personal information was obtained, how bank security measures were defeated, the organization of the scheme, and the step by step process of the scheme. He also met with postal inspectors who were investigating similar schemes both while in custody in Alexandria and after being transferred to the Bureau of Prisons.

Mr. Nnabue provided valuable and reliable information to the investigating agents and the government and, as a result, he was used by the government as a witness during the trial of Henry Obilo. During his testimony he identified several recorded voices and described what he

saw Obilo do. The Government later recalled Mr. Nabue, after this Court suggested that Detective Pak did not have enough familiarity with the recorded voices to get a piece of evidence admitted. Paula Gipson also testified during the Obilo trial and she received a 50% reduction for cooperation. Ms. Gipson however pleaded guilty over 3 months after Mr. Nnabue. Mr. Nnabue began cooperating early, he provided detailed information, proved to be a reliable witness at trial, and facilitated the admission of evidence at trial.

WHEREFORE, the defendant requests a reduction of his sentence from 54 months to 21.5 months, which is a 60% reduction.

Respectfully submitted,

By: /s/  
ANDREW M. STEWART, ESQ.  
Virginia State Bar No. 68683  
Attorney for the Defendant  
2020 North 14<sup>th</sup> Street, Suite 510  
Arlington, VA 22201  
Phone: 202-422-5233  
Fax: 703-524-5283  
andrew.m.stewart.esq@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of February, 2010, I filed the foregoing motion with the clerk of the court and hand delivered a copy to the following:

John F. Eisinger  
Assistant United States Attorney  
U.S. Attorney's Office, Eastern District of Virginia  
2100 Jamieson Avenue  
Alexandria, VA 22314  
Phone: 703-299-3700

By: /s/  
ANDREW M. STEWART, ESQ.  
Virginia State Bar No. 68683  
Attorney for the Defendant  
2020 North 14<sup>th</sup> Street, Suite 510  
Arlington, VA 22201  
Phone: 202-422-5233  
Fax: 703-524-5283  
andrew.m.stewart.esq@gmail.com